12-12020-mg Doc 9396-11 Filed 12/11/15 Entered 12/11/15 15:25:08 Decl. Exhibit I Pg 1 of 8

## Exhibit I

B 10 Moduled (Official Form 10) (12/11			
Name of Debior RESIDENT	COURT FOR THE SOUTHERN	Case Number 2-12020 (M	F) etal
NOTE: This form should not be used t		12—12023 [M ther than a claim asserted under 11 U.S.C. 8 503(b)(9)	t) actsing after the commencement of th
	the to whom the debtor owes money or property	aim asserted under 11 U.S.C. § 503(b)(9)) mes, we dif-	7 Check this box if this craim
THOMAS G. COOPER AND Name and address where notices should	D CATHERINE D.	COOPER	amends a previously filed claim.
THOMAS G. COOPER			Court Claim
CATHERINE D. COOPER PO BOX 188367			Number: (fi known)
CALLAN THE PARTY OF THE PARTY O	- 3.31		! ifed on
Concard, MIY 0330			Theek this box if you are not that invoice else has filed a proc
Name and address where payment should	email dibe sent (il different from above):		of claim relating to this claim
, .			Attach copy of statement group particulars
Letephone number	enun		5. Amount of Claim Entitled Priority under 11 U.S.C.
			§507(a). If any part of the cl falls into one of the following
1. Amount of Claim as of Date Case Filed: S 50,000 T If all or part of the claim is secured, complete item 4			categories, check the box specifying the priority and s
If all or part of the claim is entitled to j	the amount,		
7 Check this box if the claim includes interest or charges.	interest or other charges in addition to the princi	pal amount of the claim. Attach a statement that itemize	Trougestic support officiation
	QUITY - FAILURE TO P	PECOUNT FOR PAYMEN	7S and the Accommodation of Wages, subarres, or
3. Last four digits of any number-by which creditor identifies debtor:	3a. Debtor may have scheduled account as:	3b. Uniform Claim Identifier reptionals:	commissions cup to NLL."2 carned within 180 days bei
0840	(Sec instruction "3h)	(See instruction (3b)	the case was filed or the debtor's business ceased, whichever is earlier + 11
4. Secured Claim (See instruction #4)			USC, 8507 (mt4)  7 Combinions to an employee
Check the appropriate box if the claim is requested information.	<ul> <li>secured by a lien on property or a right of selot!</li> </ul>	Lattach required reducted documents, and provide the	benefit plan 111 St., Sof
Nature of property or right of setoff:	Real Listate "Motor Vehicle "TOthe:		Tail <sup>(s)</sup> The poly2,6000 or deposits
Describe: Nature of Property: 262, 90	5 Annual Interest Rate ". 7	RECEIVED	toward purchase, lease or rental of property or service
	(when case was filed)		for personal, family, or
if any: S	ges, as of the time case was filed, included in so Basis for perfec	1160 0 3 2012	household use + 11 U.S.C 8507 tajt71
	•0	KURTZMAN CARSON CONSULTA	VIS a second field and the
Amount of Secured Claim: \$ 50	, DDD Amount Unsect	ured: S	1.50° (d.0.51
6. Claim Pursuant to 11 U.S.C. § 503(b)(9): Indicate the amount of your claim arising from the value of any gloods received by the Debtor within 20 days before May 14, 2032, the date of			7 Oner a special applie dia paramapa of 111 8 C/25
commencement of the above case, in while		nary course of such Debtor's business. Attach documental	on talk /
supporting such claim	NOWN - CMACHAS NOT	PROVIDED ACCOUNTING	Amount entitled to prior
7. Credits. The amount of all payments	th mis continuent front in the Junke	A reading and prove of claims See instruction	
itenuzed statements of running accounts	s, contracts, judgments, mortgages, and security .	inch as promissors notes, pinchas, pinches invoices, igreements. If the claim resecuted, box 4 has been and interest are attached. So, and the second pinches are the second pinches.	
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If the documents are not available, plear		OF TRUNCED WEEFER	mice the date of admisting
9. Signature: (See instruction #9) Chec	ditor's authorized agent. Than the mist	ec. or the debtor, or	
(Attach copy of	power of attorney, if any i then authorized		
Lete lare under penalty of perjury that the	he information provided in this cla	1. Kille I Cal Kille	
Print Name THOMAS	ED. GOOPER	The state of the s	- N
Inte CREDITORS		166 18 15	
Address and telephone morber (1) diffy	(Signature) ment from notice address above:	(One)	
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November 9, 2012

Vito Genna, Esquire Clerk of the Court United States Bankruptcy Court Southern District of New York One Bowling Green New York, New York 10004

RE: In Re: Residential Capital, LLC, et al, Debtors

Case No. 12-12020 (MG) Chapter 11
Notice of Claim: GMAC Mortgage, LLC
Catherine Dube Cooper and Thomas G. Cooper

## Hand Delivered Duplicate Originals Of Claim Lost By Federal Express

Dear Clerk Genna:

Enclosed are duplicate originals of our Proof of Claim and supplemental materials which we sent by Federal Express on October 30, 2012 with a guaranteed delivery date of November 2, 2012. We were never notified by Federal Express that these materials were not delivered to your offices. We discovered that this Proof of Claim had not been delivered on the afternoon of November 8, 2012 and attempted over the course of 8 hours and numerous phone calls to arrange for Federal Express to deliver the package. We initially were advised that the package would be delivered to your offices prior to the November 9, 2012 deadline in a timely manner. Subsequently, and, despite our repeated requests, Federal Express personnel and management refused to deliver the package. We have driven to the White Plains office of the Court earlier this morning to deliver the documents in order to be in compliance with your deadlines. Thank you for your consideration.

Sincerely yours

Catherine D. Cooper

Thomas G. Cooper

PO Box 3671

Concord, NH 03302-3671

Cc: Morrison and Foerster LLP
1290 Avenue of the Americas
New York, NY 10104
Gary S. Lee Lorenzo Marinuzzi

ResCap Claims Processing Center, c/o KCC PO Box 5004 Hawthorne, CA 90250

GMAC Mortgage, LLC 3451 Hammond Ave PO Box 780 Waterloo, Iowa 50704-0780 October 28, 2012

Vito Genna, Esquire Clerk of the Court United States Bankruptcy Court Southern District of New York One Bowling Green New York, New York 10004

RE: In Re: Residential Capital, LLC, et al, Debtors

Case No. 12-12020 (MG) Chapter 11
Notice of Claim: GMAC Mortgage, LLC
Catherine Dube Cooper and Thomas G. Cooper

## MAILED CERTIFIED/RETURN RECEIPT

Dear Clerk Genna:

We are mortgagors of GMAC Mortgage, LLC, one of the listed debtors in the above-captioned matter as outlined in records at the United States Bankruptcy Court, and as noticed by Residential Capital, LLC (hereinafter RESCAP). We have been attempting to obtain from GMAC Mortgage, LLC (hereinafter GMAC) copies of all origination loan documents, including all federally required disclosures, surrounding the transaction which occurred during the spring of 2005. We have also been requesting a complete accounting of all monies we have paid to GMAC for the entire time the HELOC Mortgage account has been outstanding with them.

In sum, GMAC has not provided us with the complete and full accounting as requested (see Exhibit 1). The deadline for filing a Proof of Claim expires on November 9, 2012. We do not want to be foreclosed from asserting a claim based on what we believe may been incompetent practices, at best; or, at worst, deceptive, abusive, and predatory lending practices on the part of RESCAP, or its agent, GMAC. Truth in lending must occur from the beginning of the transaction, during the period of time the HELOC was opened, in computing the amount of payments received and/or credited to our account, and, improper recording or failure to record various instruments at the appropriate registry of deeds in New Hampshire.

We are writing to you at this time to preserve our rights under the above-captioned proceeding and to advise you of actions we will be undertaking with respect to payments to GMAC until this matter is resolved. We file herewith a Proof of Claim in accordance with the rules of your court.

It is also noteworthy that despite their documented debtor status, RESCAP and GMAC contradict their bankruptcy status and partnership in these restructuring proceedings. Presumably the Trustee is gathering and managing the assets of the various entities involved, including GMAC and it is upon that reliance that we must depend and will await a determination of the court.

In addition to filing Proof of Claim, we have advised GMAC that we will commence making payment of at least the monthly minimum payment in to an escrow account at a bank here in New Hampshire and will not encumber any of those funds until we get some specific direction from your Honorable Court and/or Designated Trustee to do differently. We are taking this action to preserve the both the integrity of the process and our own prospective legal rights and claims, based on the action which has been instituted at the Bankruptcy Court for the Southern District of New York. We will rely exclusively upon orders issued by the court.

Lastly, any action by GMAC as a debtor further denies us the ability to fully and fairly modify our current loans as eligible borrowers under Government sanctioned programs. This will have a significant negative impact on our ability to improve our financial makeup due to their negligent conduct. It is indisputable that as of the date we are sending this letter to the court, we have made every single payment to GMAC and to all other lien holders on our property in a timely and complete fashion. With mortgage modification rates at a historic low, it is also indisputable that their mismanagement will cause irreparable harm regardless of the outcome of this bankruptcy proceeding upon individual borrowers.

We realize we are a very small piece of a very large proceeding pending in your Court. However, the GMAC mortgage is a critical component involving our home where we have lived and raised our daughters for over 30 years in a small town in New Hampshire. I know that you can appreciate how important this issue is to us and our family.

Sincerely yours,

Catherine D. Cooper Thomas G. Cooper

PO Box 3671

Concord, NH 03302-3671

Cc: Morrison and Foerster LLP
1290 Avenue of the Americas
New York, NY 10104
Gary S. Lee Lorenzo Marinuzzi

ResCap Claims Processing Center, c/o KCC PO Box 5004 Hawthorne, CA 90250

GMAC Mortgage, LLC 3451 Hammond Ave PO Box 780 Waterloo, Iowa 50704-0780

Exhibit #1

October 18, 2012

GMAC Mortgage 3451 Hammond Ave PO Box 780 Waterloo, Iowa 50704-0780

RE: Account 0840;

Property Address: 175 South Street Concord, NH 03301

To Whom It May Concern:

I am writing to follow up my earlier telephone conversations and requests for information regarding the above loan. I have been requesting copies of all loan documents including the Promissory Note. HUD Settlement Statement, Mortgage. Mortgage Discharge (if any) and related materials since early September 2012. I have sent e-mails to the GMAC web site. I have also initiated two telephone calls with GMAC representatives regarding this information and also to request information regarding the Bankruptcy Court notices we have been receiving which lists us as both a creditor and debtor of your company.

I recently received a copy of the Agreement and Disclosure Statement dated August 25, 2003 but no other materials. Two days ago I received under separate cover a printout of payments we have made on this account from October 9, 2009 to September 2012. For nearly two months I have been requesting a payment history on this account covering the period September 2003 to the present. Earlier today I spoke with Alisha (Employee ID=3779) to review the details of this letter. She has assured me that all of the materials I have been requesting will now be provided once she opens up a "new work order." She advised that I should received requested materials no later than November 1, 2012.

She also advised me that GMAC. LLC is not part of the Proceedings (In re: Residential Capital, LLC, et al Case No. 12-12020(MG) pending in the United States Bankruptcy Court Southern District of New York. This is concerning to me as I have been sent a flurry of mailings from the Court indicating that GMAC is an active part of the proceedings and that I am listed on it's schedule of creditors and debtors. I have been attempting to get the information from GMAC in order to be in a position to timely file paperwork with the Bankruptcy Court by the November 8, 2012 deadline.

It is absolutely crucial that I receive the information from your company no later than November 1, 2012. Further, would you please advise as to whether I should be sending payments on this account to GMAC, or the Bankruptev Court. Thank you.

Thomas G. Cooper (603) 496-5997

PO Box 1073 Salem, NH 03079